



The Municipal Court of the City of Newark is the largest and busiest Municipal Court in the State of New Jersey.

Municipal Courts in New Jersey are created by legislation pursuant to the state constitution, Article VI, Section I, paragraph 1. They were established through the passage of N.J.S.A. 2A:8-1 et seq. Municipal Courts are Courts of record.

Practice and procedures in the Municipal Courts are governed generally by New Jersey Court Rules, Part VII. Part III, insofar as is applicable, and unless otherwise expressly provided, also controls activity in criminal, quasi-criminal and penal actions.

The Revised Ordinances of the City of Newark provide that the Newark Municipal Court and the judges shall possess and exercise all the jurisdiction, powers, functions and duties which are or may be conferred by law and the applicable rules of the Supreme Courts of New Jersey (R.O. 2:2-58). Court Rule 1:33-1, 2 and 3 sets forth the supervisory authority of the chief justice, administrative director of the courts and the assignment judge of the Superior Court over the operations of Newark Municipal Court.

The Municipal Court of the City of Newark has trial jurisdiction over those offenses enumerated under N.J.S.A. 2A:8-22 where the necessary waivers have been executed. This means that the Court may try these offenses without a jury and render a verdict.

Although the Court does not have trial jurisdiction over indictable offenses—crimes for which the defendant is entitled to indictment and trial by jury—the Court does possess jurisdiction over preliminary proceedings which follow arrest on an indictable offense. These proceedings include arraignment, and the setting of bail for certain offenses. Indictable complaints for offenses committed within the City of Newark are filed in the Newark Municipal Court and the defendant is brought before the Central Judicial Processing Court for arraignment, and, where appropriate, the setting of bail.

The Newark Municipal Court is divided into seven court parts. Each of the seven judges are assigned to a court part.



A Message from the Hon. Clifford J. Minor Presiding Judge, Municipal Court of the City of Newark

In 1991, the terms "revenue shortfall" and "downsizing" were buzz words at all levels of American government as an economic recession forced stiff competition for shrinking resources. By no means, however, did tough times reduce the obligation of public agencies to address diverse quality of life issues.

Resolving this conflict between revenue supply and social demand presented an especially strong challenge to the Municipal Court of the City of Newark. Because the effectiveness of law is dictated largely by the vigor with which they are enforced, the court could scarcely afford to jeopardize the public's welfare by reducing its workload.

To the credit of its staff, the Municipal Court of Newark weathered a year of dwindling resources without diminishing its capacity to process cases. In fact, productivity rose in the face of a 13 percent budget cut.

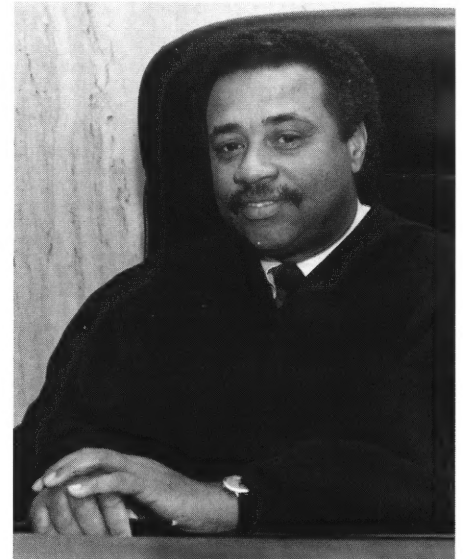
Driving while intoxicated cases before the court were up as Newark joined with the State Police in a program targeting drunk drivers. Initiatives to rid the streets of illegal drug activity resulted in a rise in disorderly persons arrests processed by the court. A new offense was prosecuted in our court as the Division of Sanitation began issuing summonses to violators of the city's recycling ordinance in an effort to protect our environment.

Our record of doing more with less continues a five-year trend that has seen the court's workload triple while staff has been cut by 12.5 percent. Over this time, creativity and aggressiveness in seeking ways to maximize performance have played key roles in the court's management.

Automation has helped to shape a more efficient Newark Municipal Court. In 1991, we enhanced a court computer system that has transformed the court since its first components were installed in 1987. This was accomplished with the acquisition of a powerful new computer and a software package that will allow us to store ticket information within the court complex rather than on the City's mainframe computer.

The Municipal Court of the City of Newark continued to benefit from its participation in the State Administrative Office of the Court's traffic system. (ATS), which it joined in April of 1990. Enhancements to this system, suggested by our court last year, improved the overall efficiency of the system, benefiting Newark and other participating municipalities.

This year also saw the start of construction on two new courtrooms that will allow us to bring all the court's activities under one roof at Newark's justice complex. Previously, these courtrooms were located in the City Hall Annex.



The growing efficiency of the City's Municipal Court even produced a pleasant irony in 1991 despite reductions in budget and staff, the court became a major contributor to the city's revenue base through the collection of \$9.9 million in fines, many of which were issued due to the City's innovative scofflaw and booting programs.

While this court has reason to be pleased with its accomplishments over the past 12 months, we do not regard ourselves with undue pride. No matter what the circumstances, in good times and bad, we must remain committed to improving the quality of life for Newark's residents through the effective enforcement of our laws. This is the mission that carries us forth in 1992 and the years ahead.

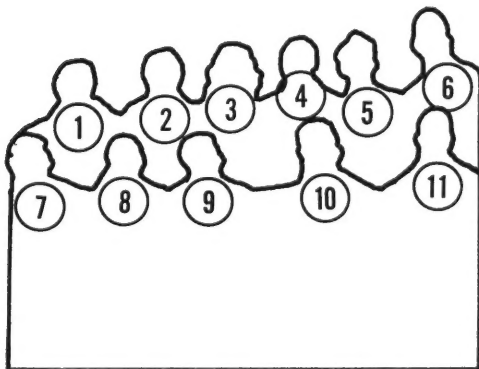
JUDGES

There are seven full-time judges sitting in the Municipal Court of the City of Newark. They are representative of the community they serve and provide over 40 years of legal/judicial experience.

One of the seven judges of the Newark Municipal Court is appointed presiding judge. Rule 1:22-4 provides that the presiding judge shall be responsible for the orderly administration of the court. The designated duties of the presiding judge include:

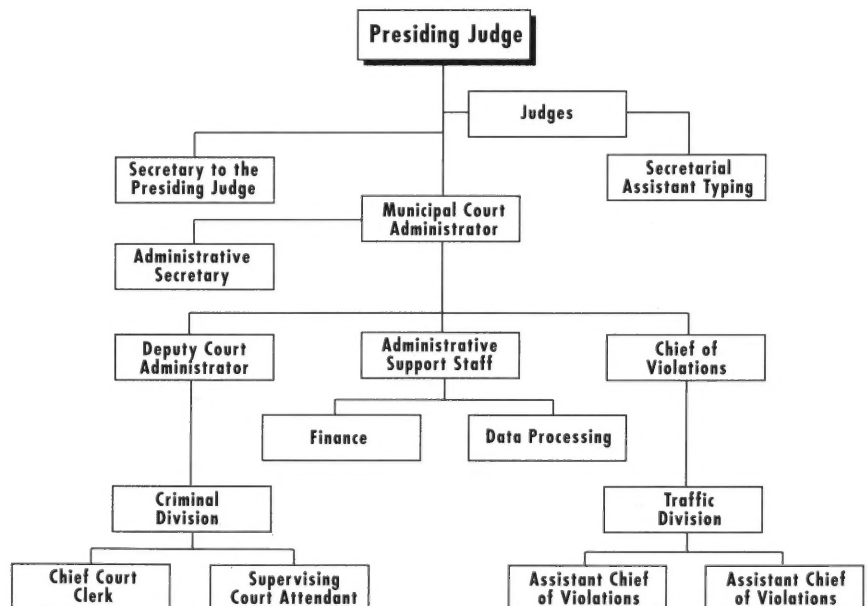
1. Supervision of all sitting judges in the Newark Municipal Court.
2. Appointment of personnel required to manage the court.
3. Supervision of the clerk, officers and employees of the court.
5. The implementation and enforcement of all administrative rules, policies and directives of the Administrative Office of the Courts and the Essex County assignment judge.

Four acting judges are employed to sit in the Newark Municipal Court in the absence of a full-time judge.



1. Judge Richard A. Gomes (Acting)
2. Judge Chester A. Morrison
3. Judge Alison Brown-Jones
4. Judge Michael Nelson (Acting)
5. Judge Paul R. Daniele
6. Judge J. Clifton Wilkerson (Acting)
7. Judge Anthony H. Guerino (Acting)
8. Judge Myrna Milan
9. Judge Clifford J. Minor
10. Judge Anthony J. Frasca
11. Judge Claude M. Coleman

TABLE OF ORGANIZATION



DIVISIONS

The Municipal Court of the City of Newark has three main divisions: the Criminal Division; the Traffic Violations Bureau and the Administrative Support Unit that includes Court Finance and Data Processing.

Criminal

Divided into six distinct court parts, the Criminal Division prepares and processes all disorderly and petty disorderly complaints. The division also holds trial jurisdiction over those complaints. Indictable complaints are filed with the Newark Municipal Court where they are prepared, processed and referred to the Central Judicial Processing Court.

Criminal Judicial Processing

Court—An arraignment court for indictable offenses, the Central Judicial Processing Court is located within Essex County Superior Court complex. The presiding judge of the Newark Municipal Court oversees the CJP Court and because of this court's continued responsibility for processing indictable complaints.

Court Part 2—An arraignment court for all disorderly persons complaints. Amended/downgraded indictable complaints are arraigned in this court. All custody (prisoner) cases, including some traffic cases, are arraigned in Part 2.

Court Part 3—Trial court for criminal cases.

Court Part 20—Remand. (downgrade indictable cases)

Court Part 5—Trial court for criminal cases.

Court Part 7—Assignment and trial court for housing cases, (including lack of heat/hot water complaints) as well as other ordinance cases, such as:

- Unemployment and municipal welfare fraud
- ASPCA
- Traffic scofflaw
- Board of Education training
- Mandatory traffic violations
- Community Dispute Resolution Program
- Some city ordinance violations

Violations

The Violations Bureau processes traffic summonses issued by various law enforcement agencies within the City of Newark. In 1991, over 445,000 traffic summonses were processed. The Court collected over \$9.9 million in fines.

Court Part 6—Arraignment and trial court for custody traffic cases and regularly contested traffic cases.

Administrative Staff

Robert M. Strand, *Municipal Court Administrator*

Sarah A. Cody, *Deputy Municipal Court Administrator*

Rebecca Mason, *Chief of Violations*

Esther Anderson, *Chief Court Clerk*

Lawrence Robinson, *Data Processing Coordinator*

Pravin Patel, *Chief Auditor*

Administrative

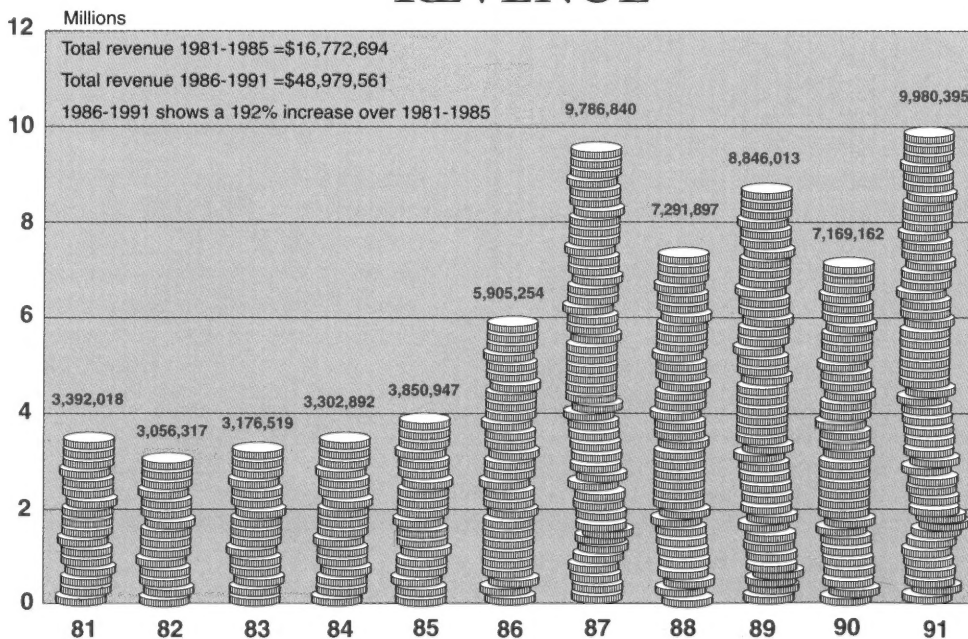
Court Finance handles all accounting and auditing activity of the Newark Municipal Court.

The Data Processing Control Unit operates and maintains the Criminal Management Information System (CRIMS), and monitors the facility management group that operates the traffic computer process.



Robert M. Strand

REVENUE



POLICE/COURTS COMMITTEE

The Police/Courts Committee maintains a cooperative relationship between all law enforcement agencies and the Municipal Court of the City of Newark. Organized in 1984, it is a problem-solving, goal-oriented and topical committee which meets on a monthly basis.

The Police/Courts Committee is comprised of the court administrator, the County Prosecutor's Office, Municipal Prosecutor's Office, Public Defender's Office and representatives from all law

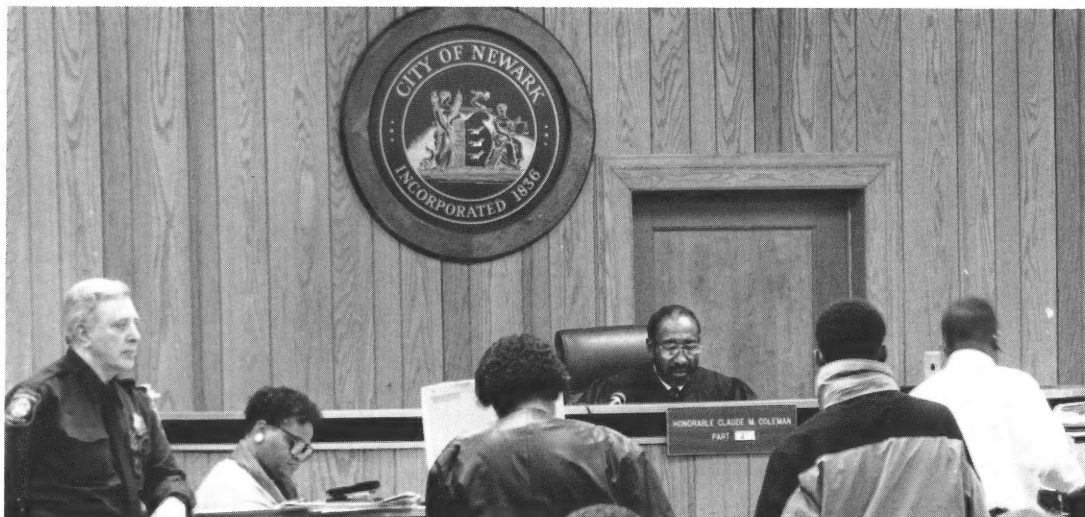
enforcement agencies (a total of 18) who conduct day-to-day operations in the City of Newark (population: 300,000).

The Police/Courts Committee's effectiveness can be seen in the design and implementation of the new Subpoena Control System currently utilized by the Municipal Court of the City of Newark. Through the efforts of the Police/Courts Committee, the Subpoena Control System has ensured the timely notification of and subsequent appearance in court by all necessary police officers, witnesses, and prosecuting and defense attorneys prepared for court room procedures. This has resulted in a dramatic reduction in the

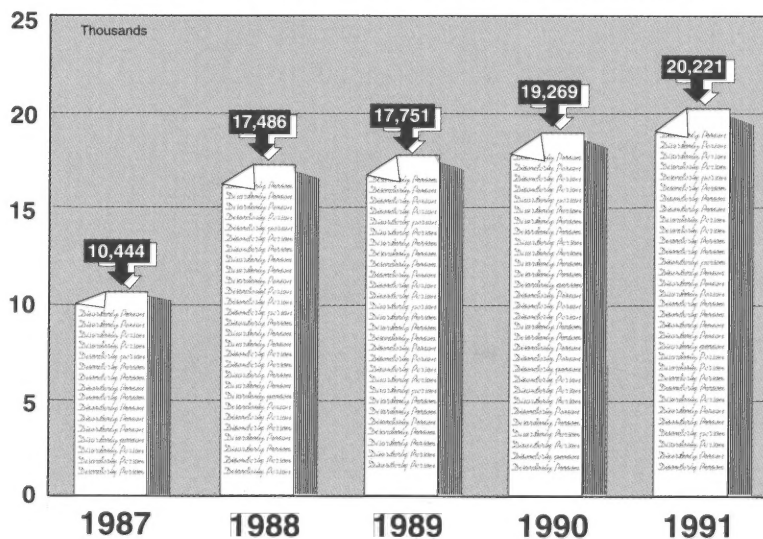
number of delays (postponements/adjournments), thus satisfying Sixth Amendment requirements for a speedy trial. The system also has resulted in a dramatic financial savings for all parties involved and has substantially reduced the court calendar.

The committee has also worked to alter the format and construction of criminal charging statements prepared by police departments when processing arrests and formally charging suspects. Changes implemented upon the committee's recommendations have made the statements suitable for use by courts in the arraignment process, which saves time and effort.

1987 - 1991
REFLECTS A 12.5%
DECREASE IN STAFF
AND A LOAD
INCREASE OF 219%
OVERALL — FOR
CRIMINAL CASES
AND 46% FOR
TRAFFIC SUMMONS.



DISORDERLY COMPLAINTS



THE MUNICIPAL PUBLIC DEFENDER'S OFFICE

This office represents indigent people who are unable to afford the assistance of private counsel. During 1991, the Office of the Municipal Public Defender handled approximately 2,500 cases. The matters range from disorderly person charges to simple assault to illegal possession of controlled dangerous substances to harassment, prostitution, receiving stolen goods, illegal dumping, DWI, etc... In addition to trials, the office handles bail requests and violations of proba-

tion. The four attorneys are assigned to cover Parts 3, 5, 6, 7 and 20 while the three support staff are responsible for intake on all clients, preparation of files, typing and miscellaneous necessary paperwork. The office also filed, wrote and argued numerous municipal appeals in Superior Court. An overwhelming majority of disorderly offenses involve defendants who are indigent. It is through this office that those persons were represented during 1991.



ESSEX COUNTY PROBATION DEPARTMENT

The Essex County Probation Division maintains offices in the Newark Municipal Court.

The fundamental mission of the Probation Division is to provide for effective and comprehensive probation supervision in Essex County. As the enforcement arm of the Judiciary, this Division is totally committed "to assist the Courts in the administration of justice and to serve the citizens of Essex County by protecting and promoting the welfare and interests of the community".

The following goals are designed to provide both direction and purpose to the Probation Division's supervision efforts:

- To provide accurate and relevant information to the Courts to assist them in reaching just decisions.
- To enforce orders of the court: By actively seeking compliance with all orders (including collections), and by notifying the Courts of non-compliance.
- To help persons and families under Probation supervision: make positive personal and social adjustments and reduce their likelihood of committing new crimes.
- To provide alternatives to traditional Court processing for appropriate persons.

Nicholas Fiore

Vicinage Chief Probation Officer

Dominic Tetta

Principal Probation Officer II, Newark Unit



COMMUNITY DISPUTE RESOLUTION PROJECT

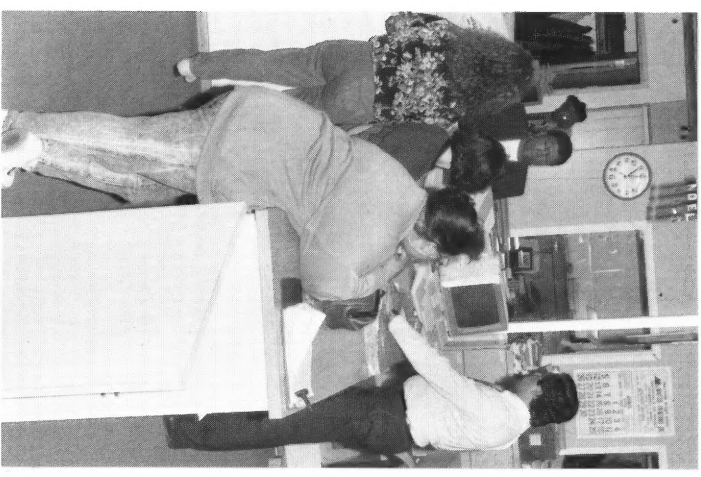
CDRP
Sponsored by the Essex County Bar Association

The Essex County Bar Association's Community Dispute Resolution Project is an effective alternative to a court trial in a significant number of cases filed in the Municipal Court of Newark.

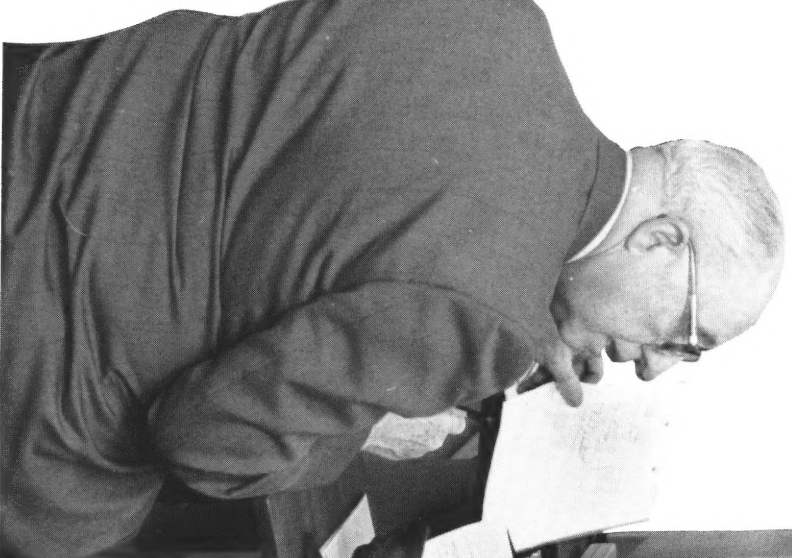
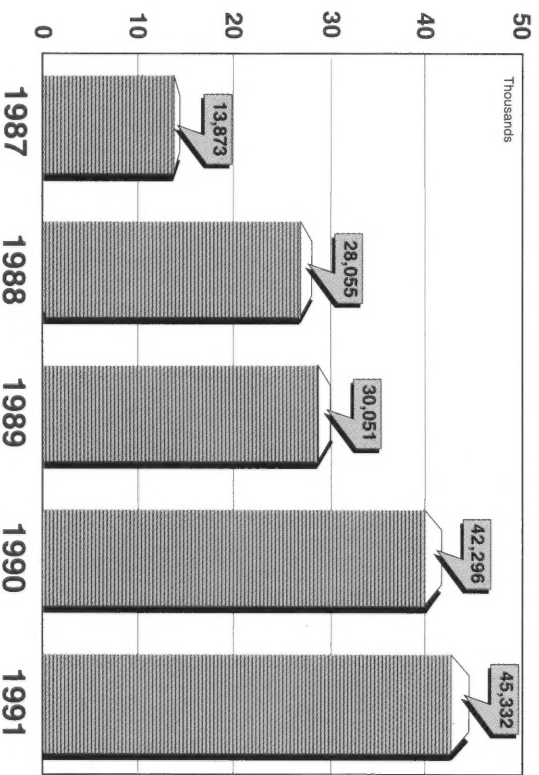
Newark Municipal Court continues to provide the largest volume of cases in Essex County. In 1991 cases were heard by trained volunteer mediators provided by the Essex County Bar Association.

During the program's ten years of operation in the Newark Municipal Court, it has disposed of an average 100 cases per year.

Marge Levy,
Corporate Project
Coordinator



ALL COMPLAINTS FILED



MUNICIPAL PROSECUTOR'S OFFICE

The Municipal Prosecutor's office is a section of the City of Newark's Law Department.

The Municipal Prosecutor represents the interests of the State of New Jersey and the City of Newark in prosecutions in the Municipal Court of Newark.

In the performance of their responsibilities, the Municipal Prosecutor's office works with many state, county and local agencies in the prosecution of criminal, traffic and city and county ordinance violations.

The prosecutor section includes a staff of seven, including a Section Chief, two attorneys, a special prosecutor, a paralegal, a secretary and an intern.

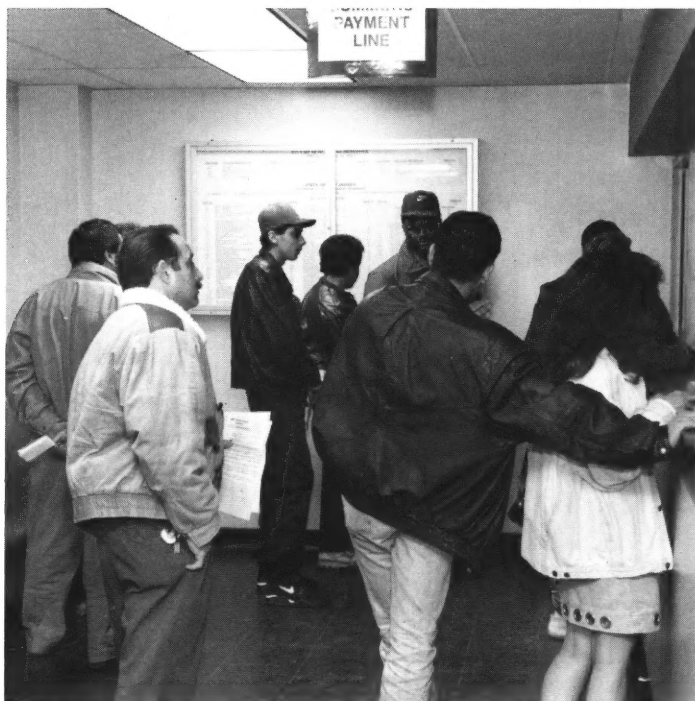
Glenn A. Grant

Corporation Counsel

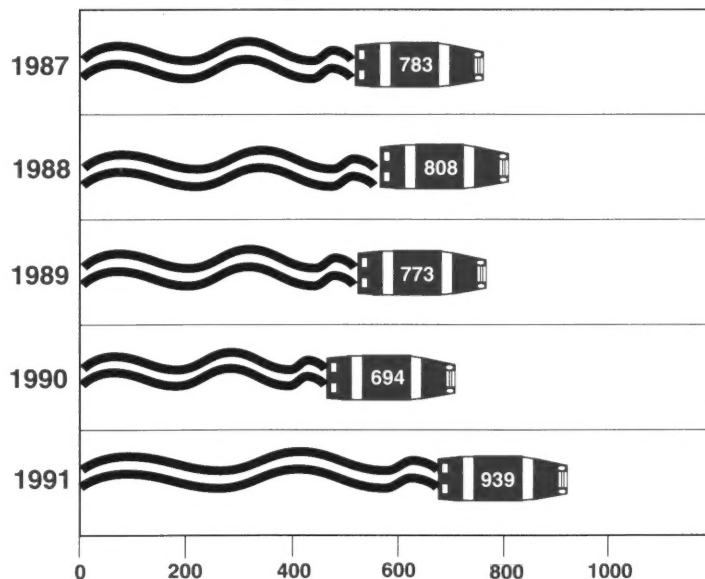
Patricia A. Hurt

Section Chief,

Municipal Prosecutor



D.W.I. CASES FILED (Driving While Intoxicated)



ESSEX COUNTY PROSECUTOR'S OFFICE Pre-Complaint and Remand Court 2 Unit

The Essex County Prosecutor's Office has a unit located in the Newark Municipal Court at 31 Green Street.

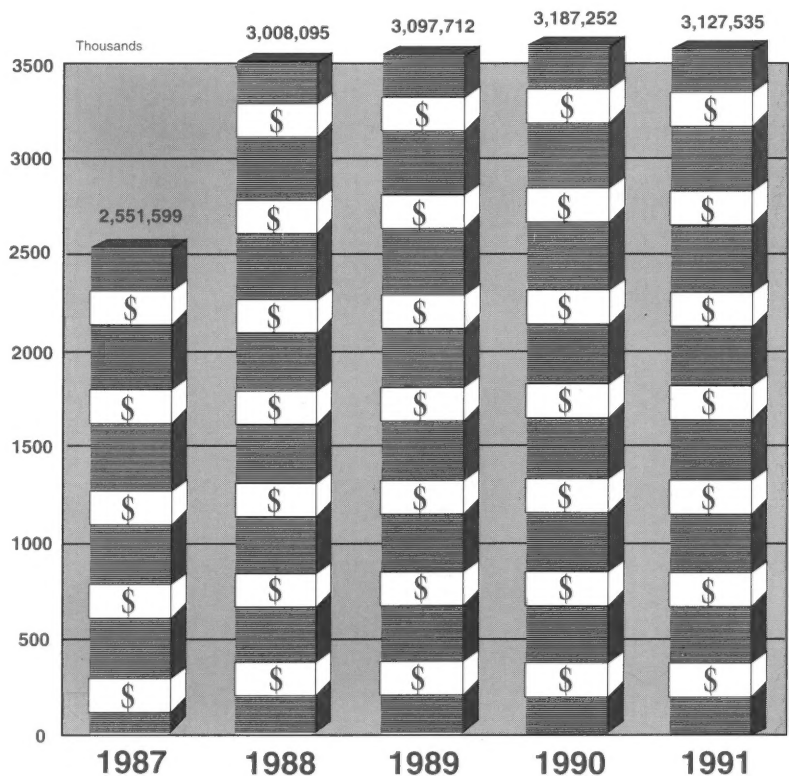
The "Newark Operation" is staffed with 15 people including one Assistant Prosecutor/Supervisor, five Assistant Prosecutors, one Lieutenant of Investigators, six Investigators, and two Clerk-Typists.

Pre-Complaint Screening/Remand Court 2 is a section of the Prosecutor's Office consisting of a screening and trial function. The screening function, accurately described as the intake stage of subsequent prosecutorial actions, involves deciding whether or not to institute formal, criminal proceedings and, if so, determining the most appropriate charge to file in accordance with prosecutorial discretion and office policy. On the other hand, the Remand Court, a trial function, is charged with the responsibility of trying cases that are sent to Newark Municipal Court, Part 20, after undergoing a vigorous Pre-Indictment Screening. The purpose and goal of the Remand concept is to bring to trial as quickly as possible matters which ordinarily would be presented to a grand jury, but, based on adopted guidelines it would appear that justice will be well served at Municipal Court level.

**BUDGET APPROPRIATIONS
FOR THE COURT
1987-1991
INCREASED ON
AVERAGE BY ONLY
1% PER YEAR.**



BUDGET APPROPRIATION



SERVICE INDEX

Court Part Locations

	Room No.
CJP — Essex County Courthouse 50 Nelson Place	502
Part 2 — 31 Green Street,	102
Part 3 — 31 Green Street,	101
Part 20 — 31 Green Street,	103
Part 5 — City Hall Annex,	A301
Part 6 — 31 Green Street,	108
Part 7 — City Hall Annex,	A201

Customer Service

Traffic Information	733-6520	
Criminal Information	733-6444	
Violations Bureau 31 Green Street		105
Criminal Complaint Intake 31 Green Street		207
Court Administration 31 Green Street	733-8116	303
Presiding Judges' Office 31 Green Street	733-3894	301
Judicial Suite 31 Green Street	733-8905	309
Public Defender 31 Green Street	733-3848	312
Municipal Prosecutor 31 Green Street	733-4865	313
Essex County Prosecutor 31 Green Street	621-7691	210
Probation Department 31 Green Street	621-4313	102 West



City of Newark
SHARPE JAMES, Mayor
RALPH T. GRANT, City Council President

Municipal Council
DONALD BRADLEY, South Ward
GEORGE BRANCH, Central Ward
ANTHONY CARRINO, North Ward
GARY S. HARRIS, At-Large
HENRY MARTINEZ, East Ward
RONALD L. RICE, West Ward
DONALD TUCKER, At-Large
MARIE VILLANI, At-Large

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